

Rec'd PCT/PTC 7 OCT 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	
James H. HELLER et al	:	
Int'l Application No.: PCT/US03/022746	:	
Serial No. 10/522,013	:	Art Unit: TBA
Filed: January 21, 2005	:	Examiner: TBA
For: <i>CHOLINERGIC THERAPY FOR INDIVIDUALS WITH LEARNING DISABILITIES</i>	:	Atty Docket: 000250.00029

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. §
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner of Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicants submit the following documents to complete the requirements for acceptance under 35 U.S.C. § 371:

1. Fee Transmittal Sheet Form PTO-1390 (Modified) in Duplicate;
2. Copy of the Notification of Missing Requirements mailed July 07, 2005
3. Executed Combined Declaration and Power of Attorney with Cover Sheet
4. Executed Assignment with Recordation cover sheet.

Serial No. 10/522,013

Response to Missing Requirements
Under 35 U.S.C. 371 In The United States
Designated/Elected Office (DO/EO/US)

5. Supplemental Application Data Sheet with cover letter
6. Petition for Extension of Time Under 37 CFR 1.136(a)

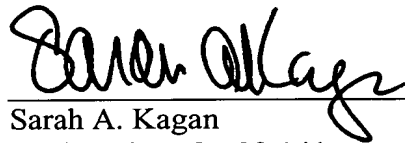
Please charge our Deposit Account No. 19-0733 in the amount of \$1787.50, as follows:

\$ 65.00 Late Declaration Surcharge
\$ 1,655.00 Additional claim fees
\$ 40.00 Recordation of Assignment.
\$ 60.00 One month (37 CFR 1.17(a)(1))

We believe no additional fees are required. If this is incorrect, please charge our Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

By: 
Sarah A. Kagan
Registration No. 32,141

Date: October 7, 2005

Banner & Witcoff, Ltd.
Customer Number: 22907

SAK:mhn

Rec'd PCT/PTO 7 OCT 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
James H. HELLER et al)
Serial No. 10/522,013) Art Unit: TBA
Filed: January 21, 2005) 000250.00029
For: *CHOLINERGIC THERAPY FOR INDIVIDUALS WITH LEARNING
DISABILITIES*

SUBMISSION OF SUPPLEMENTAL APPLICATION DATA SHEET

Commissioner of Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 dulany Street
Alexandria VA 22314

Sir:

Applicants submit a substitute Application Data Sheet and requests that it be substituted for the Application Data Sheet filed with the referenced patent application. The original Application Data Sheet contained three errors, to wit: the second Inventor **Priya KISHNANI's Citizenship**; the third Inventor **Gail A. SPIRIDIGLIOZZI's Address** and the fifth Inventor **Pudugramam Murali DORAISWAMY's Citizenship & First Name**. This inaccuracy was due to clerical error. Please make the necessary correction.

No fee is believed due in connection with the filing of this paper. However, if any fee is due, please charge our Deposit Account No. 19-0733, as necessary.

Respectfully submitted,

Dated: October 7, 2005

By: 

Sarah A. Kagan
Reg. No. 32,141

SAK:mhn
Banner & Witcoff, Ltd.
Customer No.: 22907

FORM PTO-1390 (Modified) U.S. PATENT & TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 2-2005)

ATTORNEY'S DOCKET NUMBER

000250.00029

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/522,013

INTERNATIONAL APPLICATION NO.
PCT/US03/022746INTERNATIONAL FILING DATE
22 July 2003PRIORITY DATE CLAIMED
22 July 2002

TITLE OF INVENTION

CHOLINERGIC THERAPY FOR INDIVIDUALS WITH LEARNING DISABILITIES

APPLICANT(S) FOR DO/EO/US

James H. HELLER et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.
23. ☒ Other items or information:

Response to Notification of Missing Requirements; Copy of Notification of Missing Requirements; Petition For Extension Of Time Under 37 CFR 1.136(a) and Supplemental Application Data Sheet with Cover Letter

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/522,013		PCT/US03/022746		000250.00029	
The following fees are submitted:				CALCULATIONS	PTO USE
24. <input type="checkbox"/> Basic national fee				\$300	\$
25. <input type="checkbox"/> Examination fee					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)				\$100	\$
All other situations.				\$200	
26. <input type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$100	
International Search Report prepared and provided to the Office				\$400	
All other situations.				\$500	\$
TOTAL OF 24, 25 and 26 =					\$
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
- 100 =	0	/50 =	0	x \$250.00	\$
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).					\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	79	- 20 =	59	x \$50.00	\$
Independent claims	3	- 3 =	0	x \$200.00	\$
MULTIPLE DEPENDENT CLAIMS (if applicable) <input checked="" type="checkbox"/> + \$360.00					\$
TOTAL OF ABOVE CALCULATIONS =				\$	\$3,375.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					\$
SUBTOTAL =				\$	\$1,687.50
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$
TOTAL NATIONAL FEE =				\$	\$1,687.50
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +					\$
TOTAL FEES ENCLOSED =				\$	\$1,727.50
Amount to be				\$	
Amount to be				\$	
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>19-0733</u> in the amount of <u>\$1,727.50</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0733</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Banner & Witcoff, Ltd.					
Customer Number: 22907					
Date: <u>October 7, 2005</u>					
				SIGNATURE	
				Sarah A. Kagan	
				NAME	
				32,141	
				REGISTRATION NUMBER	

10/13/2005 AT RAN1 00000104 190733 10522013

01 FC:2617
02 FC:2615
03 FC:261665.00 DA
1475.00 DA
180.00 DA



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

SAR

U.S. APPLICATION NUMBER NO. 10/522,013	FIRST NAMED APPLICANT James H Heller	ATTY. DOCKET NO. 000250.00029
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22907
BANNER & WITCOFF
1001 G STREET N W
SUITE 1100
WASHINGTON, DC 20001

RECEIVED

00250.00029
JUL 11 2005

BANNER WITCOFF

INTERNATIONAL APPLICATION NO. PCT/US03/22746	
LA. FILING DATE 07/22/2003	PRIORITY DATE 07/22/2002

CONFIRMATION NO. 5202
371 FORMALITIES LETTER



OC000000016469746

Date Mailed: 07/07/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/21/2005
- Copy of the International Search Report filed on 01/21/2005
- Information Disclosure Statements filed on 01/21/2005
- Small Entity Statement filed on 01/21/2005
- Request for Immediate Examination filed on 01/21/2005
- U.S. Basic National Fees filed on 01/21/2005
- Priority Documents filed on 01/21/2005
- Power of Attorney filed on 01/21/2005

Docketed 7/12/05
Attny SAR
Case Ref 000250.00029
Action Resp due (2mo O.A.)
Due Date 09-07-05
Last Day 02-07-06
By LO

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$1655 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$1720** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$ 1655**
 - **\$1475** for **59** total claims over 20.
 - **\$180** for multiple dependent claim surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/522,013	PCT/US03/22746	000250.00029